Previous references.

190

(Sep. Rev.)

Later references.

File No. 33 of 1902-03

Serial Nos. 1 — 8

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-8

Part B. for

SUBJECT.

Appeal of Mallappa of Kalkere, Holalkere Taluk against the order of the Dy Comr, of the Chitaldrug Dt. directing the recovery of the tax due from him and ordering the sale of his land.

Sl 1. From Mallappa of Kalkere, Holalkere Taluk.
Petn 1971/Ex. 379 D. 6/9. 2.03.
Appeals against the order of the Dy Comr, directing the recovery of the tax due from him and ordering the sale of his land.
Endorsement &c 457 D. 31.3.03. To the Same.
Returns the above to be properly stamped.

Sl 2. From the Same. Petn no 2508/Ex 436 D 12.4.03/74.
G. R. S. 58
Submits the petition with one rupee stamp affixed to it and prays that pending [illegible]

of the applicants are ready to proceed to the sale of the land.

Sl 3. To the Excise Comr in Mysore - No 607 Dt 15.5.03.

Forwards the above petitions for early report & requests that the sale of the land may be stopped.

Endorsement. No 607A Dt To the Petitioners.

Informs that his petitions have been forwarded to the Excise Comr for report &c -

Sl 4. From the Excise Comr in Mysore. No 1890/86 Dt 28.8.03.

Submits the information called for.

Sl 5. To the Excise Comr in Mysore. No 287 Dt 24.9.03

Requests that the records bearing on the subject may be forwarded early and also further information.

Sl 6. From the Excise Comr in Mysore No 2700/731 Dt 3/8.10.03.

Submits the records & furnishes the information called for.

Sl 7. From Mallappa, Kalkere-Holalkere. Petn Dt 13.10.03.

With reference to S. No 3. Endorsement No 607/2 Dt 15.10.03 states that he did not receive it before 13-5-03 he deposited Rs 0-13-4 in the Taluk Office on 15-5-03 for fear that the land would be sold on 15.5.03. and prays that the amount may be ordered to be refunded to him.

Sl 8 Endorsement. No 395/H Dt 19.11.03 To Mallappa, Holalkere -

Informs that as the fees were applied for by the Licensee only & not by him the request cannot be complied with.

Memo. No 396/H Dt 19.11.03. To the Excise Comr in Mysore.

Sep: Rev. 33 of 1902-03.

Office Note.

Office of the Dewan of Mysore.,

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Branch

Subject Letter No. 1890 of 28. 8. 03, from the Excise Commr in Mysore reporting the circumstances under which one Mallappa of Kalkere was held liable to pay the amount due by the defaulting Toddy Contractor Narsappa.

One Mallappa of Kalkere in the Holakere Tk. petitioned to Govt. against the Chitaldrug Dy Comr's order directing that Rs 70-13-4. due from defaulter Narsappa the Toddy Contractor as the 2d Khist on the trees within the holding of the petitioner which had been let to the Contractor.

The petition was forwarded to the Excise Commr for report

In response to it the Excise Comr submits the report: ~~the~~ ~~subject of the letter~~

It is reported that the Toddy Contractor Narsappa secured the date trees in the holding of the Petitioner Mallappa for a period

of

Letter No. 1890 of 28. 8. 03. 82.

of one year ending with 30th June 1902. The Contractor failed to pay the 2d instalment of the tree-tax due forthwith the result that the petitioner was held liable for its payment under Sec. 19 of the Excise Regulation. The Petitioner is said to have paid it on 13.5.1903.

* Means 8-2-07

"The petitioner urges that he handed over the trees on 6.7.01 and that the Excise Regulation was brought into force from September 1901 and that therefore he is not responsible for the payment of the amount"

WTD
16/9/03 The Excise Comr says that the toddy Contractor applied for the trees on 16th January 1902 & as the Notifn referred to in Sec 19 of the Excise Regn was in force

3

Lott report & asks the passing of the Excise Regs, the petitioner that he is suffering falls to the ground. Put up draft and sending the appeal

17/9/03

Draft sealed Sent

Sent
17.9.03

18/9/03

Hm
20/9

The decision through the Privy Council

was it not necessary under the Rules that the Khedivial Signature should have been obtained to the petition application? I enclosed letter to see the entire record. C

22/9/03

328
22-9-03
camp Inspr

Get Reports
Hm
22/9/03

Complied
Sent
24.9.03

Note continued

In compliance to this Office
memo the Ex. Engr has
sent the record which
discloses the following
facts —

no 2700/131 dt 3/8/03

A 1. The Petr. gave his written
consent on 6th June for
his trees being tabbed by
the defaulting licensee.

F 2. Formal advice in respect
of these trees was executed
by the licensee on 15/1/02
& they were marked on
3/2/02 after the 1st instal-
ment of fee for was duly
credited into the Treasury.
But in the meanwhile
these trees were illicitly
tabbed case detected
& dealt with by the Range
officer in conviction —

3. The Excise Regn came into
force with effect from 18th
September

4. No fresh consent of
the occupant was

obtained when formal application was presented in January / pursuant to the understanding that the original Consent was sufficient -

5. The 2nd instalment of tree tax viz £0.13.4 in q^e C did not be recovered from the Lessee as he had absconded. This amount was therefore been recovered from the Peter (occupant under Sec 19 of the Regn of the land) & held in default

D 6. The Peter contends that he is not liable for this amount as he gave his Consent long before ie E 2 months before the Regn Came into force - But the Crown Counsel argues that the Consent runs to the end of the year as in the Case of taxbuil licenses that is even after the Regn Came into force & that the Peter is consequently liable This view seems to be Correct.

Ruled for orders

The Dewan through the 2nd Counsellor

Tree 30/10/03.

31/10/03

6

Wallabba has no valid
grievance – I agree with the
Crown Solicitor.

13789
4.11.03.

2/11/03

Subd
The draft- already approved for rejecting the petition
may be ordered to be issued.

9/11/03

Sep: Rev: 33 of 02-03

Ex 379 / 20/3/03

Sl 1 (1)

1902-03

Encls

1) one Rupee Stamp aff.
(Stamp insufficient by one Rupee)

2) order complained of, produced

3) In time

Dol 19-3-03

J. Exhibit B

20/3/03

No. 1971

Name of Petitioner Hallappa

Village Kallere

Taluk Holalkere

District Chitaldroog

Date of Arzi 6 -2-03

Date of Receipt 9

Date of Disposal

No. of Enclosure one: order appealed against.

Submitted.
This is an appeal petn. It should have been made on the petn 2 Rs worth of Court fee Stamps affixed to it. But it has only one rupee Stamp — Rule 8 orders as to valuation the petn is to be returned to petitioner as insufficiently stamped or further action to be taken on it.

Returned & Re-presented properly stamped

21/3/03

ABSTRACT

Appeal against the order of the Dy Comr. Chitaldroog No. 526 of 23-1-03 conveyed through the Amildar's No 207 of 30-1-03 which is as follows:—

"Last year you had allowed one Narasappa Sendi & contractor of Doggamahal to draw out Sendi from 100 date trees in your Khata land Survey No. 36. As the contractor failed to pay Rs. 70-13-4

MGOPB—4,000—31-1-02

the amount to be paid
for three trees for the second
Christ, you were demanded
to pay the same. And
you petitioned to the District
Hauzur representing that
the said Narasappa had
house and other property and
requesting not to attach
your movable property
until his property be
disposed of. The Dist. Huzur
No. 546 of 23-1-03 has been
received directing to inform
you by ord. that you are
responsible for the paymen
of the said amount since
you handed over the trees
after the Excise regulation
was brought to force.
"Soon now you may pay the
amount of arrears and stop
further proceedings."

The petr. urges that he
handed over the trees on
6-7-01 and the Excise regulation
was brought to force from
September 1901, and so he
is not responsible for the
payment of the amount.

That the license ought
to have been granted after

he had signed the
contractor's application
but this is not the case.

That there is no reason
why some portion of the
contract amount be
recovered from the contractor
not; and also, there
is no reason why no
demand was made
until all the property
of the contractor was
otherwise disposed of

For these reasons
the petitioner prays for
orders setting aside
the orders appealed
against

Hall

18/3/03

Reference
nil
10-4

Sep: Rev: 33 of 02-03.
E4436 of 2/4/03 (9)
1903
Sl 2

1971/of 02 ನಂ ಅರ್ಜಿಯ ಸಂಬಂಧದಲ್ಲಿ
ಸಹಾಯಕ ಆಯುಕ್ತರು ಚಿತ್ರದುರ್ಗ ಉಪವಿಭಾಗ
ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ ಎ4436 of 2/4/03
20-4-03

No. 25-08

Name of Petitioner Gowda Mallappa

Village Kalkere

Taluk Holalkere

District Chitaldrug

Date of Arzi 12.4.03

Date of Receipt 14.4.03

Date of Disposal

No. of Enclosure 2 { 1 petn no 1971
1 copy of the endt

Is transferred to the Excise Branch in continuation.

nil
21-4-03

ABSTRACT

States that in obedience to this office endt no 45-7/E4 of 31st march 1903, he has affixed one rupee stamp in addition & prays that his request may be complied with. The petnr further prays that pending disposal of the appl orders may be issued to stop the sale of the lands

HB
08/4

filed.
with 2 corresp for
reference
True
28/4/03.

Sep: Rev: 33 of 02 5

No 607 Encl 3

dt 15/5/03

To Collector Coimbatore

3

Has the honour to forward herewith for favour of early perusal and return together with records, petition dtd 20/3/03 & 2508/E.436 dtd 22/4/03 & appeal against the order No 546 dtd 23/4/03 passed by the Dy Commr Civil Station Ootacamund, directing the recovery from him, as the owner of the trees, of Rs 70.13.4 being the 2nd instalment of tree tax due from the licensee thereof.

xf

Todev
28/4/03

Submitted for appl.

1/5/3

The Dewan through the 2nd Councillor.

from G. Mallappa of Kalkere village Hosakote Taluk

2 Encs.
Ex. 129
6-5-03
Camp Coty.

10/5/03

Coty 10208
10.5.03

11.V.03

15/1/13

6

exceed the frequent threat;
the case of the Petitioners
~~of the petitioners~~
needed adjournment
may be stayed by
Lunacy Order of
Court on this appeal.

B.C.

Thurs
~~14/3 15/5/3~~
Secretary

Query: Does an
appeal lie to the Ct
Com. Dep. to hear
Lunacy & Pet. Com
be disposed

(I don't think
there is an appeal
to the Ct. Com.)

Thurs
28/4/03

S.R. 33 of 02-03

(F)
ನಂ. 607A

ಹುಜೂರು ದಿವಾನ್ ಕಚೇರಿಯಿಂದ.

ಅರ್ಜೀದಾರ ತಾಲ್ಲೂಕು

ಇರುವ ಸೆ ಇಂಡಾರಸ್ ಹುಕುಂ

ನಿಮ್ಮ ಹುಜೂರಿಗೆ ಗುಜರಾಯಿಸಿದ ನೇ ಮಲ್ಟುಮಿನ ಅರ್ಜಿ

ಬತಾರೀಪು ಪಟಾಹೆ ಸ್ಸ 190 3 ನೇ ಇಸವಿ ದರಜಾಗಾ

ಬೆಂಗಳೂರು.

By Order,

Secretary.

MGCPB—500—28-2-03.

Endorsement 1

Cork pensioner to his petition per Pdno 2508 – E 436 of 27/4/03 appealing against the order of the Cork Clerk of Petty Sessions no. 546 of 23.1.03 directing the pensioner to refund £ of £20 from the return of £70.13.4 due from the licensee of the premises date to be deducted in fortnightly instalments of £4.11.8 each.

Holdkene Parish, informed that his petition has been forwarded to the Right Hon. the Chief Secretary for Ireland

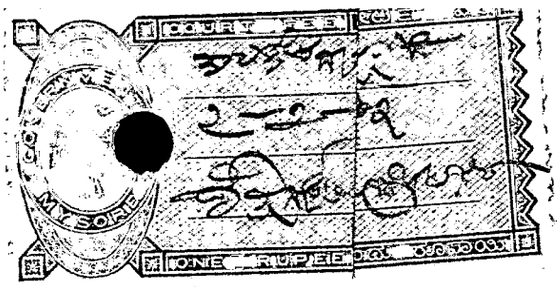
BO

Give an extract from the minutes of 28/4/03 as requested in the Petition

Draft letter to issue 28/4

28/4/03

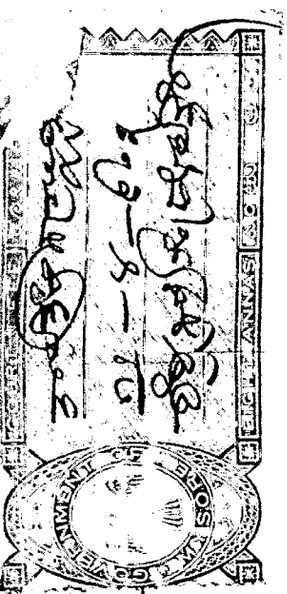
Secret

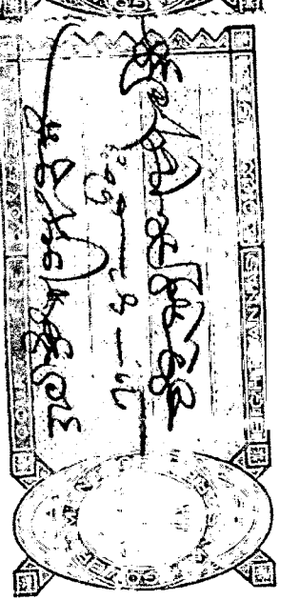


MYSORE REVENUE STAMP
ONE RUPEE

PETITION No. 1971 OF
RECD ON 9-2-1971

1971





3

No. 451
Market Bangalore 3/11 March 1903

Received for sickness Certificate, Leave
Assistant Hierarchy Station Master
Bangalore

For Secretary to the Commissioner for Labour, Mysore

Ex 112 of 31/8/03.

S.R. 33 of 02-03

Sd 4. 1903.

31 AUG. 1903

From B. N. Krishnayya Esq. B.A.

Excise Commissioner in Mysore.

To H. V. Nanjundayya Esq. B.A. Bar.-at-Law.

Secretary to the Government of His Highness the Maharaja of Mysore

General and Revenue Departments.

Dated 28th } August 1903.

Despatched 28/4 }

Received

General No. 1890

No. 86

Enclosure No. 3

With reference to Secretary's docket No. 60/Ex, dated 15th May 1903, states that the Deputy Commissioner, Chital drug District, reports the circumstances under which petitioner Ramappa was held liable for the 2nd instalment of tree tax, and that the petitioner paid it up on 13th May 1903.

MGCPB—50 reams—6-12-02.

Excise
Dept. S 03

No 1833 Ex 3 Excise Commissioner's Ofc.
dt.

Dated, Bangalore, 28th August 1903.

From

B. N. Ramaiya Esquire B.A

Excise Commissioner in Mysore.

To

N. V. Narjundayya Esquire B.A. Bd.
Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Departments.

Sir,

With reference to your docket
No 60/Ex, dated 15th May 1903, I have the
honor to state that the Deputy Com
missioner Chitaldrug District, reports
that the date trees in the holding of
petitioner Mallappa were applied for
by the Toddy Contractor Narsappa on
16th January 1902 on the strength of the
Consent given by the petitioner, which
extended for a period of one year
upto 30th June 1902; that as the
Contractor failed to pay the 2nd instal
ment of tree tax, and as it could not

be

be recovered from him, the petitioner was held liable for it under Section 19 of the Excise Regulation; and that the petitioner Mallappa paid it up on the 13th May 1903.

2. The Appeal petitions are hereunto returned.

I have the honor to be
Sir,
Your most obedient servant
[illegible]
for Excise Commissioner,
[illegible]
in Mysore.

Enclosure No.

ಅಧಿಕೃತ ಕಾರ್ಯ ಕ್ರಮ-ಪಟ್ಟಿ

ಕಾರ್ಯ ಸಾಲ ಕೊಂಡಿ ಸಿಕ್ಕಿ ಸಮಿತಿ ಸಭೆಯಲ್ಲಿ ಸಲ್ಲಿಸಲಾಗಿದೆ

ಸಭೆಯ ಸಾಲಗಳಲ್ಲಿ ಮೊಂಗ್ಲಗಳಾಲಿಗಳ ಕೊಂಡಿಗೆ

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30/03

for Amildar

15

MYSORE UNIVERSITY
PETITION DEPARTMENT
REG'D NO 25086
DATE 14-4-1903

By hand reg'd
14-4-03

2508

Enclosures

S. R. 33 of 02-03
Sl 5

Office Draft. (Docket.) 16

Mysore Government,
General & Revenue Secretariat.

To The Deputy Commr & Dist Magte

6

Date of passing the draft
Date of despatch 24-9-03.

Regd. No. 287
File No. & date (if any) Sp

No. of Encls.

His letter no 6890/86, of 28th August 03 reg. on the petn of Mallappa of Kalkere village, Holalkere Taluk in the matter of his liability to pay to Govt. the 2nd instalment of Jodi tax due from the licensee Narasappa a

Has the honor to request that the record bearing on the subject may be forwarded

17

to Court. at accordy
date and that information may be furnished
as to when the Licensee gave his Consent and when
the tree-tapping licenses were issued

2nd Revised Order

for Secy

Tree
24.9.03

Ex 1708 9.10.03.

Sep: Rev 33 of 02-03

Sl 6 1903.

9 OCT 1903

From P. N. Ramanuja Esquire B.A.,
Excise Commissioner
in Mysore

To H. V. Nanjundayya Esq Mia. Asst
Secretary to the Government of
His Highness the Maharaja of Mysore
General & Revenue Department

Dated 3rd
Despatched 8th } October 1903.

Received

General No. 2700
No. 131

Enclosure No 1 file

In Circle.

In reply to Secretary's docket
No. 287/Ex, dated 26th ultimo, I
States that Mallappa of
Kallure village, Halakere
taluk, gave his consent to
the tapping of the trees in question
by licensee Narasiah, on 6th
July 1901, such consent extending
up to the end of June 1902. and
the tree tapping licenses were
issued in January 1902.

Filed with rubbe Cards.

True

Ex
9-10-03

18 No 2700 Excise file
131

Excise Commissioner's Office

Dated, Bangalore 3rd/8th October 1903.

From

V. A. Ramaiya Esquire B.A.

Excise Commissioner in Mysore.

To

A. V. Narjundayya Esquire M.A. B.L.

Secretary to the Government of

His Highness the Maharaja of Mysore

General and Revenue Departments.

Sir,

In reply to your docket no 257 Ex/
dated 26th ultimo, I have the honor
to state that Mallappa of Kachere v.
village Halekere taluk, gave his v.
consent to the tapping of the trees in
question by licensee Narasiah, on 6th
July 1901, such consent extending up to
the end of June 1902. The toddy tapping v.
licenses were issued in January 1902. The
records bearing on the subject are herewith
submitted.

I have the honor to be,

Sir,

Your most obedient servant

[signature]

for Excise Commissioner

in Mysore.

Reference

22-10-03

2508 of 1902 ಅರ್ಜಿಯ ಮೇರೆಗೆ ಸಲ್ಲಿಸಿರುವ
21-4-03 ರ ಅರ್ಜಿಯ ಸಂಬಂಧ -
ಕ್ರಮ
23/10

Ex 19(2)27.10.03 19

Sep Rev 323 of 02-03

No. 885 Sl 7.

Name of Petitioner Gowda Mallappa

Village Kalkere

Taluk Holalkere

District Chitaldrug

Date of Arzi

Date of Receipt 13-10-03

Date of Disposal

No. of Enclosure One

ABSTRACT

With reference to Endorsement No 607 dated — of the Excise Dept of this office, informing petitioner that a report has been called for on his petition and that orders have been issued for stay of sale of his land pending disposal of this petition the petitioner states that as he did not receive the above endorsement before 13-5-03, he deposited Rs 70-13-4 in the Taluk Treasury for fear that his land would be sold on 15/5/03.

He prays that after the perusal

MGCPB—5,000—10-11-02

of the records in the case, the amount

+ Transferred to the Excise Branch in connection.

24-10-03 No order for refund is necessary.

27/10/03

deposited by him in the Taluk
Treasury may be ordered to
be refunded to him.

Asst.
22/10/03

Mysore Government
General and Revenue Secretariat
Petition Department
Reg'd No 885 R
Date 13-10-1903

33

23

13/5/03

Sess: Rev. 33 of 02-03

Sl 8 24

Rc 395
Cp

Dt. 19.11.03.

2nd Endorsement

With ref. to his petn. regd. no. 2506/E.436 dt. 12/24.4.03, appealing against demand dt. Nil by Comm. Chittal. Proc. (Dis.) Rc. 546 dt. 23-1-03, directing the recovery from him of Rs. 70.13.4 being the 2nd instalment of tree tax due from the licensee of his trees, Gowda Mallappa of Kalkere village, Holalkere Taluk, Chitaldrug Dist.

25

is informed that
as his trees were
applied for by the
licensee only in
January 1902
when the Excise
Regn was in force
& not in respect of
stated in the petn
~~the~~ his appeal is rejected

Bell

10/4/03

Secy

No
396
Ex (Gen Dept)

Copy ~~Letter~~ Excise
Comr in regard
with ref. to his letter
No ~~8990~~ 2700 of 28/8/03
R.C.

The correspondence ending with
No 2700 of 3-10-1903.
and enclosing the 131 the record.
~~Submitted~~ Submitted
herewith

Secy.

17.9.03.